



State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-1370 FAX (603) 271-1381



October 9, 2002

Churchill Coatings Corp.  
Frederic Churchill President  
91 Range Road  
Franklin, New Hampshire 03235

**CERTIFIED MAIL (7099 3400 0003 0687 4510)**  
**RETURN RECEIPT REQUESTED**  
**NOTICE OF PAST VIOLATION**

Dear Mr. Churchill:

On April 16, 2002, the New Hampshire Department of Environmental Services, Air Resources Division ("DES") conducted a compliance inspection at Churchill Coatings ("Churchill") located in Franklin, New Hampshire. The purpose of the inspection was to determine Churchill's compliance status with the N.H. Code of Admin. Rules Env-A 100 *et seq.*, and Temporary Permit FP-T-0041. The purpose of this letter is to notify you of the violations discovered during the April 16, 2002 inspection and subsequent file review. The specific violations are as follows:

- Temporary Permit FP-T0041 was issued on July 15, 1999, and expired on January 31, 2001. Env-A 608.03, requires that Churchill submit an application for a State Permit to Operate 90 days prior to the expiration of the Temporary Permit. On May 21, 2002, DES received a permit application from Churchill and State Permit to Operate FP-S-0181 ("the Permit") was issued to Churchill on August 8, 2002; and

- Churchill did not conduct a review of Regulated Toxic Air Pollutants ("RTAPs") in accordance with Env-A 1406.01 for the new coatings being used. Churchill provided information on these new coatings in its application. DES conducted a review of these new coatings which indicated that emissions do not exceed the AAL's.

Due to the actions taken by Churchill and referenced above, DES believes that no further action in response to the listed violations is required. DES requests that Churchill comply with all terms and conditions contained in the Permit. In accordance with Env-A 1406.01, if Churchill uses new coatings a review of RTAP compliance must be conducted prior to using these coatings. Further, the compliance determination must be maintained on file at the facility. In the event that other violations are identified, DES may take further action against Churchill including issuing an administrative order, seeking administrative fines, and/or referring this matter to the New Hampshire Department of Justice for civil and/or criminal penalties.

If you believe that DES has cited these violations in error, or have questions regarding these matters, please contact Mike O'Brien at (603) 271-0872, Compliance Bureau, Air Resources Division. A current copy of the Air Resource Division rules can be obtained from the DES website at <http://www.des.state.nh.us/ard/ardrules.htm>, or by contacting the Public Information Center at (603) 271-2975.

Sincerely,

 **COPY**

Pamela G. Monroe  
Compliance Bureau Administrator  
Air Resources Division

R. Scott, Chief Air Programs Mgr, NHDES-ARD  
G. Rule, NHDES Legal Unit  
R. Kurowski, EPA Region I  
T. Giunta, Mayor, City of Franklin  
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